

DEC 22 2004

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/700,944       |
| Filing Date            | October 31, 2003 |
| First Named Inventor   | Lussior          |
| Art Unit               | 3711             |
| Examiner Name          | GRAHAM, Mark S.  |
| Attorney Docket Number | 789-39-1         |


**ENCLOSURES (Check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input checked="" type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|---|--|

**Remarks**


Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Akerman Senterfitt  |          |        |
| Signature    |  |          |        |
| Printed name | Mark D. Passler   |          |        |
| Date         | 12-22-04  | Reg. No. | 40,764 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |  |      |          |
|-----------------------|---|--|------|----------|
| Signature             |  |  | Date | 12-22-04 |
| Typed or printed name | Mark D. Passler   |  |      |          |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**

☒ Applicant claims small entity status. See 37 CFR 1.27

|                                |                   |
|--------------------------------|-------------------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | <b>(\$)</b> 65.00 |
|--------------------------------|-------------------|

**Complete If Known**

|                             |                  |
|-----------------------------|------------------|
| <b>Application Number</b>   | 10/700,944       |
| <b>Filing Date</b>          | October 31, 2003 |
| <b>First Named Inventor</b> | Lussier          |
| <b>Examiner Name</b>        | GRAHAM, Mark S.  |
| <b>Art Unit</b>             | 3711             |
| <b>Attorney Docket No.</b>  | 789-39-1         |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ **Deposit Account** Deposit Account Number: 50-0961 Deposit Account Name: AKERMAN SENTERFITT

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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### FEE CALCULATION

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| BASIC FILING, SEARCH, AND EXAMINATION FEES |          | FILING FEES  |          | SEARCH FEES  |          | EXAMINATION FEES |          | Fees Paid (\$) |
|--|----------|--------------|----------|--------------|----------|------------------|----------|----------------|
| Application Type                           | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity     | Fee (\$) |                |
|  |          | Fee (\$)     |          | Fee (\$)     |          | Fee (\$)         |          |                |
| Utility                                    | 300      | 150          | 500      | 250          | 200      | 100              |          |                |
| Design                                     | 200      | 100          | 100      | 50           | 130      | 65               |          |                |
| Plant                                      | 200      | 100          | 300      | 150          | 160      | 80               |          |                |
| Reissue                                    | 300      | 150          | 500      | 250          | 600      | 300              |          |                |
| Provisional                                | 200      | 100          | 0        | 0            | 0        | 0                |          |                |
|  |          |              |          |              |          |                  |          | Small Entity   |

## 2. EXCESS CLAIM FEES

|   |           |           |
|---|-----------|-----------|
| <b>Fee Description</b>  | <b>50</b> | <b>25</b> |
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 200       | 100       |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 360       | 180       |

**Multiple dependent claims**

|   |                     |                 |                      |
|---|---------------------|-----------------|----------------------|
| <u>Total Claims</u>   | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| - 20 or HP = _____  | x _____             | = _____         |                      |
| HP = highest number of total claims paid for, if greater than 20      |                     |                 |                      |
| <u>Indep. Claims</u>  | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
| - 3 or HP = _____   | x _____             | = _____         |                      |
| HP = highest number of independent claims paid for, if greater than 3 |                     |                 |                      |

### 3. APPLICATION SIZE FEE

**APPLICATION SIZE FEE**  
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.105(g).

|                     |                     |   |                 |                       |
|---------------------|---------------------|---|-----------------|-----------------------|
| <b>Total Sheets</b> | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b>  |
| _____ - 100 = _____ | _____ / 50 = _____  | _____ (round up to a whole number) x _____              | _____ = _____   | _____                 |
|                     |                     |   |                 | <b>Fees Paid (\$)</b> |

#### 4. OTHER FEE(S)

OTHER FEE(S)  
Non-English Specification, \$130 fee (no small entity discount)

Other: TERMINAL DISCLAIMER FEE

SUBMITTED BY

**Signature**

Name (Print/Type) Mark D. Passler

Registration No. 40,764  
(Attorney/Agent)

Telephone 561-653-5000

Date 12-22-04

Name (Print/Type) Mark D. Passler

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DEC 22 2004

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: LUSSIER et al.

Application No. 10/700,944

Examiner: Graham, Mark S.

Filed: October 31, 2003

Group Art Unit: 3711

For: HOLLOW WOODEN HOCKEY STICK

**AMENDMENT**

**CERTIFICATE OF TRANSMISSION/MAILING**

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Mark D. Passler Reg. No. 40,764  
Mark D. Passler

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

This is in response to the Office Action dated September 23, 2004. Please amend the above-identified application as follows:

**Amendments to the claims** begin on page 2 of this paper.

**Remarks/arguments** begin on page 4 of this paper.